

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY TAIPEI

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E.O. 11652: NA

TAGS: BDIS, TW

SUBJECT: ASSISTANCE TO CETDC OFFICER STUDYING TRADE COMPLAINT

REF: TAIPEI 2897; 4689

1. DEPARTMENT AND COMMERCE WILL BE PLEASED TO FACILITATE K.H. HUAN'S STUDY OF NON-JUDICIAL REMEDIES IN RESOLVING DISPUTES BETWEEN CHINESE AND AMERICAN FIRMS. YUAN'S CETDC RESPONSIBILITIES AND OBJECTIVE OF PREPARING PAMPHLET ON HANDLING TRADE COMPLAINTS SUGGEST MAJOR PORTION OF HIS TIME IN USG CONSULTATIONS SHOULD BE SPENT IN COMMERCE AND CERTAIN DISTRICT OFFICES. BIC WILL ARRANGE SCHEDULE ACCORDINGLY WHEN YUAN'S DETAILED ITINERARY CONFIRMED, INCLUDING DISCUSSIONS WITH AMERICAN ARBITRATION ASSOCIATION IN NEW YORK.

2. REGRET NEITHER DEPARTMENT CAN IDENTIFY RECENTLY PUBLISHED CASEBOOKS ON HANDLING TRADE COMPLAINT SETTLEMENT NEGOTIATIONS PRIOR RESORT TO EITHER ARBITRATION OR LITIGATION.

3. YUAN SHOULD ALSO BE ADVISED THAT NORMAL PROCEDURE FOR HANDLING OF TRADE DISPUTES IN USA IS INITIATION OF DIRECT CONTACT BY BIC OR DISTRICT OFFICE WITH RESPONDENT. OTHER
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AGENCIES, PUBLIC OR PRIVATE, ARE RARELY ASKED TO INTERVENE

AND COMMERCE REPORTS HAVING VERY FEW CASES WHERE SUCH
SUPPORT APPEARS DESIRABLE.

4. DESPITE ABOVE RESERVATIONS ON EXTENT OF ADVANCE REFERENCE
INFORMATION AND U.S. INTERVIEW COVERAGE DESIRABLE FOR
YUAN'S STUDY PROGRAM, BOTH DEPARTMENTS BELIEVE TRAVEL WILL
ACHIEVE WORTHWHILE RESULTS AND CONTRIBUTE TO REDUCTION
OF DISPUTES INVOLVING U.S. AND CHINESE BUSINESSMEN. KISSINGER

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